

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

FILE NO: 5:17-CR-303-1D(4)

UNITED STATES OF AMERICA)
)
V.) MOTION TO CONTINUE
)
MATTHEW YENSAN)
)

NOW COMES defendant Matthew Yensan, by and through his undersigned counsel, and moves this Court for an Order continuing his arraignment which is presently scheduled for January 23, 2018. The grounds for this motion are as follows:

1. Defendant was charged by Indictment on October 13, 2017 with possess with intent to distribute a detectable amount of marijuana, in violation of Title 21, United States Code, Section 841(a)(1); possess with intent to distribute a quantity of Alprazolam in violation of Title 21, United States Code, Section 841(a)(1); distribute a Schedule IV Controlled Substance, Alprazolam, by means of the Internet, in violation of 21 United States Code, Section 841(h); possessing firearms in furtherance of a drug trafficking crime in violation of 18 United States Code, Section 924(c)(1)(A)(i).

2. The parties have been engaged in plea discussions, but inclement weather delayed the parties' ability to finalize issues related to their plea discussions. The parties have worked diligently to be prepared to proceed with arraignment on January 23, 2018, but may need to continue this matter to allow time to conclude their negotiations.

3. The undersigned has consulted with the government concerning this motion. Special Assistant United States Attorney Benjamin Zellinger has advised the government consents to continuing this matter, if it becomes necessary. The parties agree that this motion may be heard at the calendar call on January 23, 2018.
4. The period of time occasioned by this continuance is excluded from Speedy Trial Act calculations on the grounds that the ends of justice served by this continuance outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. Sect. 3161 (h)(7).

Based on the foregoing, the defendant moves this Court to continue the arraignment in this matter to this Court's February term of court.

Respectfully submitted, this the 22nd day of January, 2018.

/s/Rosemary Godwin
Rosemary Godwin
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing motion was duly served upon:

Benjamin Zellinger
Special Assistant United States Attorney
310 New Bern Avenue, Suite 800
Raleigh, NC 27601

by electronic filing with the Clerk of Court for the Eastern District of North Carolina on this
the 22nd day of January, 2018.

/s/Rosemary Godwin
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